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SUBJECT: YEREVAN'S TROUBLED POST-ELECTION WEEK

REFS: A) YEREVAN 382

B) YEREVAN 372

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SUMMARY

¶1. (SBU) Allegations of fraud, denials that they had an impact on the outcome, arrests, and political maneuvering all marked the fracas that followed Yerevan's May 31 mayoral election through Friday, June 5. NGOs and opposition parties cried foul, citing massive irregularities during the vote and vote count. Among the fraud allegations, opposition and ruling parties alike focused fire on Yerevan's troubled Malatia-Sebastia district, with the Republican Party of Armenia seeking to use it as the scapegoat in order to minimize the fraud that occurred elsewhere in Yerevan. While the Prosecutor General urged the Central Election Commission (CEC) to order vote recounts in eight of Malatia-Sebastia's precincts, its Special Investigative Service arrested several individuals allegedly involved in the fraud.

¶2. (SBU) Meanwhile, the Republican Party hailed the election as a "step forward" overall, citing the statement by a European electoral observation mission that the poll was broadly carried out in compliance with European standards. In a surprising move, Levon Ter-Petrossian said the opposition Armenian National Congress (ANC) had no choice except civil disobedience and called on the Armenian Revolutionary Federation- Dashnaktsutun and other "healthy political forces" to join the ANC in seeking the ouster of President Sargsian. Despite the controversy and ANC's appeals to the CEC, the CEC on June 7 rejected the protests and certified the results. Two members of the CEC -- those from the opposition Heritage Party and the newly-oppositional Dashnaks -- opposed the CEC decision. The CEC's other six members voted in favor. END SUMMARY.

PROSECUTOR GENERAL'S RESPONSE TO ELECTORAL FRAUD

¶3. (SBU) In acknowledgement of the electoral irregularities that occurred in the notorious Malatia-Sebastia district, Prosecutor General Aghvan Hovsepian on June 1 urged the CEC to conduct recounts in eight of the district's precincts (ref A). (Note and Comment: Although allegations of fraud were made about many of Yerevan's 13 electoral districts, Malatia-Sebastia earned the reputation of being the worst. The authorities have adopted the line that large-scale irregularities were limited to Malatia-Sebastia, with a relatively clean election in other districts. Based on our observations, the fraud was widespread throughout Yerevan. End Note and Comment.)

¶4. (SBU) By June 5, the Special Investigative Service, an investigative body subordinated to the Prosecutor General, had

arrested three individuals for "falsifying vote results." These reportedly included a pro-government member of one of Malatia-Sebastia's precinct election commissions, a resident in the district, and another election official named Onik Aleksanian. (Note: It is not known whether this official is related to the notorious oligarch MP Samvel Aleksanian, aka "Lfik Samo," who has been accused of voter intimidation, vote-buying and other irregularities during Armenia's recent election. There were several reports that Aleksanian's relatives were actively involved in vote fraud on Election Day. End Note.)

VOTE RESULT ANNULLED IN 3 PRECINCTS

15. (SBU) Electoral authorities in three of Malatia-Sebastia's precincts had invalidated the results of their respective vote tallies, and had requested prosecutors to launch probes into vote fraud. The CEC subsequently sent the voting materials from the three precincts to the Prosecutor-General's office, asking it to open a criminal case. Under Armenian law, the elections in the three polling places do not have to be re-run, with the CEC confirming that the ballots cast in those places will simply be deducted from the overall tally. According to media reports, the invalidation of the three precincts will not have an impact on the overall outcome of the vote that the ruling Republican Party of Armenia (RPA) won with a convincing margin. (Comment: How convincing the margin was remains a subject of debate, but in the end we will probably never find out. We suspect that the ruling parties -- the RPA and Prosperous Armenia -- likely inflated their numbers with ballot-stuffing and other tactics, and probably left ANC's count more or less untouched. End Comment.)

16. (SBU) In addition to the probes into the three invalidated districts, the Special Investigative Service also launched a

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criminal case based on a June 4 appeal by the opposition Heritage party MP Anahit Bakhshian. Bakhshian's appeal called for an investigation of the precinct electoral commission members in precincts 9/28, 5/25, 8/06, 9/20 and 10/20 polling stations, as well as personnel in the Territorial Electoral Commission (TEC) at TEC 5.

According to Bakhshian, election officials in these places obstructed political party proxies and election observers, and engaged in electoral fraud.

CEC REJECTS PLEAS TO INVALIDATE TECS 7 AND 8

17. (SBU) With the Armenian National Congress continuing to call the mayoral election "illegal," citing a litany of electoral abuses, the ANC filed complaints on June 1 seeking the invalidation of the election results of both TECs 7 and 8. (Note: These TECs comprise the districts of Malatia-Sebastia, Ajapnyak and Shengavit, where suspiciously high turnout was recorded. End Note.) The collective voter turnout at TECs 7 and 8 amounted to twenty percent of the total votes cast in all of Yerevan on Election Day. In protest of the fraud, the ANC on June 1 decided to boycott the 13 seats on Yerevan's new city council that it had earned in the election (ref A).

18. (SBU) On June 7 the CEC, as expected, rejected the ANC appeal in TECs 7 and 8 and certified the final results of the election and recounts. Six members of the CEC supported the CEC decision, with two members -- one from the opposition Heritage Party, and the other from the newly-oppositional Dashnaks -- opposed. The ANC can now file a further appeal with the CEC or turn directly to Armenia's Administrative Court. ANC representatives have told Embodys that they plan to appeal directly to the Administrative Court. If that fails, they will lodge an appeal with the United Nations authority that considers disputes related to local elections. (Note: In Armenia's national elections, the normal recourse after a first instance court is the appeals court and then the Constitutional Court. But according to Armenian law, no such legal recourse exists for local government elections, thus the ANC's decision to press

their case at the UN. End Note.)

WHILE RULING PARTY DOWNPLAYS IMPACT OF FRAUD

¶9. (SBU) As the ANC raised questions about the vote in the days following the election, President Sargsian and his ruling Republican Party of Armenia (RPA) downplayed reports of fraud and abuse as exceptions to an otherwise "well-run" election. Although RPA spokesman Edward Sharmazanov did not deny that there were violations on Election Day, he said that they did not have an impact on the results of the election. According to Sharmazanov, the election complied with European standards. He said that "we can evaluate them as a step forward, and that is how the European observers evaluated them." In response to a correspondent from the independent AlPlus online news service, Sharmazanov said it was natural that the RPA had done well, stating that "the majority of Armenians trust the Republican Party, and proof of that are the presidential elections, the parliamentary elections and [now] the Yerevan mayoral elections."

POLITICAL MANEUVERING BY ANC IN CALL TO DASHNAKS

¶10. (SBU) On June 3, the ANC led by ex-President Levon Ter-Petrossian (LTP) called upon the Armenian Revolutionary Federation - Dashnaktsutiun (Dashnaks) and other "healthy political forces" to join its struggle against Armenia's ruling authorities. (Note and Comment: The offer was remarkable, given the animosity between the Dashnaks and LTP, who jailed some of the top Dashnak leaders in 1994 when he was president. The Dashnaks also formed part of the ruling coalition from 2003-2009. End Note and Comment.) The Dashnaks have yet to comment on the ANC offer, but two of its top leaders on June 2 backed the ANC's decision not to take up its newly won seats in the city council. The Dashnaks tallied a paltry 4.65 percent of the vote on May 31.

¶11. (SBU) In its call to the Dashnaks, the ANC said it is "calling on all of the country's democratic political forces to close ranks in this fight for the establishment of democracy." Levon Zurabian, ANC's coordinator, said the fraud in the election was essentially a message from President Sargsian to Armenians that their government can be changed only by force. "We are thinking over that message," he said, adding that the ANC could launch a campaign of nationwide "civil disobedience." Another senior ANC figure, Vahagn Khachatryan, ruled out any "forcible methods" of political struggle,

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however, stating that "we will never allow a civil war in the country."

COMMENT

¶12. (SBU) Armenia's post-election periods tend to be characterized by allegations of fraud, official denials, and political posturing. The Yerevan election has been no different. The authorities are trying to convince the public - and the international community -- that irregularities were concentrated in Malatia-Sebastiaas a way of deflecting attention from the more widespread electoral fraud that permeated most of Yerevan on Election Day, albeit in less flagrant forms. By launching criminal cases against a few individuals, and overturning results in several voting precincts, the authorities hope to blunt the criticism leveled against the vote -- and ultimately against them. Such a piecemeal approach that fails to address the larger, more systemic issues will do little to address Armenians' voters' distrust in their electoral processes.

YOVANOVITCH